

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT

AVC NO. 04-063

IN RE: ERIE ISLANDS RESORT)
 & MARINA, INC.,)
)
 Respondent.)

FILED

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SEP 28 2001

Dana Anne Snodden
CLERK OF THE
MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Roger D. Smith, and the Respondent, Erie Islands Resort & Marina, Inc., pursuant to Indiana Code § 24-5-0.5-7 enter into an Assurance of Voluntary Compliance ("Assurance").

It is acknowledged that violations of this Assurance constitute prima facie evidence of deceptive acts pursuant to Ind. Code § 32-32-3-14 and Ind. Code § 24-5-0.5-1 et seq. This Assurance is entered into without any adjudication of any issues of fact or law herein, and upon consent of the parties hereto.

The parties agree:

1. The Respondent, Erie Islands Resort & Marina, Inc., is a foreign corporation with a principal place of business at 4495 West Darr-Hopfenger Road, Port Clinton, Ohio, 43452, and has engaged in consumer transactions with Indiana consumers.
2. The Respondent has engaged in soliciting and selling time share memberships for the project known as Landings at Seven Coves, located at 7031 Kingston Cove Lane, Willis, Texas, 77378.
3. Respondent acknowledges and admits its responsibility and liability for acts, methods and practices employed by its employees, agents, assigns, representatives,

officers, directors, and partners in all aspects, whether expressed or implied, of the promotion and advertisement of the Respondent's business activities.

4. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Office of the Attorney General ("Division") to investigate matters hereinafter described, pursuant to Ind. Code § 32-32-3-13.

5. Respondent fully agrees to comply with all provisions of the Time Share and Camping Clubs Act, Ind. Code § 32-32-3-1 et seq.

6. Respondent agrees to fully comply with all provisions of the Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1 et seq.

7. Respondent agrees not to sell or offer for sale time shares until Respondent has registered in accordance with Ind. Code § 32-32-3-1.

8. Respondent agrees to cancel any transaction and refund any money paid by any consumer who files a complaint with the Division if the transaction was entered into during a time period when Respondent was not registered with the Division as a time share seller.

9. Respondent agrees to cancel Respondent's contract dated September 15, 1991 with James and Stasia Bennie of 8902 Royal Meadow, Indianapolis, Indiana, 46217, and cease billing James and Stasia Bennie for any fees related to this transaction.

10. Respondent agrees to cancel Respondent's transaction dated May 16, 1992 with Kenneth and Valdena Navratil of 4998 Lakeview Drive, Greenwood, Indiana, 46143, and to cease billing Kenneth and Valdena Navratil for any fees related to this transaction.

11. Upon execution of this Assurance, Respondent shall pay costs in the amount of Five Hundred and 00/100 Dollars (\$500.00) to the Office of the Attorney General.

12. Respondent agrees to fully cooperate with the Office of the Attorney General in the resolution of any future complaints received by the Consumer Protection Division.

13. This Assurance does not constitute an approval by the Attorney General of any of Respondent's past or future business practices, and Respondent shall not make any representations to the contrary.

14. This Assurance of Voluntary Compliance is to be filed by the Office of the Attorney General with the Circuit Court of Marion County. The court's approval of this Assurance shall not act as a bar to any private right of action.

IN WITNESS THEREOF, the parties hereto have executed this Assurance this 27th
day of September, 2004.

STATE OF INDIANA

STEVE CARTER
Attorney General of Indiana

By: Roger D. Smith
Roger D. Smith
Deputy Attorney General
Atty. No. 23152-49

Office of the Attorney General
Indiana Government Center South
5th floor
302 W. Washington Street
Indianapolis, IN 46204
(317) 232-4774

RESPONDENT

ERIE ISLANDS RESORT &
MARINA, INC.

By: [Signature]
JOHN M. GRANVALL
Printed Name

CEO
Title

4495 West Darr-Hopfinger Rd.
Port Clinton, OH 43452
(419) 734-9117

ORDERED AND APPROVED this _____ day of SEP 28 2004, 2004.

[Signature]
Judge, Marion County Circuit Court